

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOSEPH CARVER,

Plaintiff,

v.

KELLY CUNNINGHAM, et al.,

Defendants.

CASE NO. C09-5648BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 40). The Court having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The Report and Recommendation is **ADOPTED**;
- (2) Defendants' motion for judgment on the pleadings is **GRANTED**; and
- (3) Plaintiff's complaint is **DISMISSED with prejudice** without leave to amend.

DATED this 17th day of September, 2010.



BENJAMIN H. SETTLE
United States District Judge